

## HOOPA VALLEY RESERVATION SOUTH BOUNDARY ADJUSTMENT ACT

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SEPTEMBER 4, 1996.—Committed to the Committee of the Whole House on the State  
of the Union and ordered to be printed

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Mr. YOUNG of Alaska, from the Committee on Resources,  
submitted the following

### R E P O R T

[To accompany H.R. 2710]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 2710) to provide for the conveyance of certain land in the State of California to the Hoopa Valley Tribe, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Hoopa Valley Reservation South Boundary Adjustment Act”.

#### SEC. 2. LAND TRANSFER TO RESERVATION.

(a) IN GENERAL.—All right, title, and interest of the United States in and to the lands described in subsection (b) shall hereafter be held in trust by the United States for the benefit of the Hoopa Valley Tribe and shall be part of the Hoopa Valley Reservation.

(b) LANDS DESCRIBED.—The lands referred to in subsection (a) are those portions of Townships 7 North and 8 North, Ranges 5 East and 6 East, Humboldt Meridian, California, within a boundary beginning at a point on the current south boundary of the Hoopa Valley Indian Reservation, marked and identified as “Post H.V.R. No. 8” on the Plat of the Hoopa Valley Indian Reservation prepared from a field survey conducted by C.T. Bissel, Augustus T. Smith and C.A. Robinson, Deputy Surveyors, approved by the Surveyor General, H. Pratt, March 18, 1892, and extending from said point on a bearing of north 72 degrees 30 minutes east, until intersecting with a line beginning at a point marked as “Post H.V.R. No. 3” on said survey and ex-

tending on a bearing of south 15 degrees 59 minutes east, comprising 2,641 acres more or less.

(c) BOUNDARY ADJUSTMENT.—The boundary of the Six Rivers National Forest shall be adjusted to exclude the lands to be held in trust for the benefit of the Hoopa Valley Tribe pursuant to this section.

#### SEC. 3. SURVEY.

The Secretary of the Interior, acting through the Bureau of Land Management, shall survey and monument that portion of the boundary of the Hoopa Valley Reservation established by the addition of lands made by section 2.

#### PURPOSE OF THE BILL

The purpose of H.R. 2710 is to provide for the conveyance of certain land in the State of California to the Hoopa Valley Tribe.

#### BACKGROUND AND NEED FOR LEGISLATION

H.R. 2710 would convey to the Hoopa Valley Tribe 2,641.3 acres of land currently administered by the Forest Service as part of the Six Rivers National Forest.

This narrow strip of land would square up the boundary of the Hoopa Valley Reservation by removing a dog-leg in the south boundary which was created in the 1870's when Federal Government surveyors apparently altered the agreed-upon boundary to avoid interfering with the mining interests of non-Indians in the area.

Although the acreage in question has been timbered during its status as National Forest land, it remains important to the Tribe and is used for ceremonies and other traditional purposes. There are no inholdings or special use permits which exist relating to the land. Tribal policy provides public access to a campground in the area using Road 10N02.

#### COMMITTEE ACTION

H.R. 2710 was introduced on December 5, 1995, by Congressman Frank Riggs (R-CA). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on National Parks, Forests and Lands. On July 17, 1996, the Subcommittee on Native American and Insular Affairs held a hearing on H.R. 2710. On August 1, 1996, the Full Resources Committee met to consider H.R. 2710 and the Subcommittee on National Parks, Forests and Lands was discharged from further consideration of the bill. An amendment to include language that would ensure that the boundary of the National Forest be adjusted as the Reservation boundary is adjusted was offered by Congressman Don Young (R-AK), and adopted by voice vote. The bill, as amended, was then ordered favorably reported by voice vote to the House of Representatives.

#### SECTION-BY-SECTION ANALYSIS

##### *Section 1. Short title*

This section provides that this Act may be cited as the "Hoopa Valley Reservation South Boundary Correction Act".

### *Section 2. Land transfer to reservation*

Subsection (a) would transfer all right, title, and interest of the United States in and to certain lands to the Hoopa Valley Tribe to be held in trust and to become part of the Tribe's reservation.

Subsection (b) describes the 2,641 acres of land, presently administered by the Forest Service, which are to be transferred to the Tribe.

Subsection (c) provides that the boundary of the Six Rivers National Forest shall be adjusted to exclude those lands being transferred to the Tribe.

### *Section 3. Survey*

This section provides that the Secretary of the Interior shall survey and monument that portion of the Tribe's reservation boundary established by this land transfer.

#### COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect to the requirements of clause 2(l)(3) of rule XI of the Rules of the House of Representatives, and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

#### INFLATIONARY IMPACT STATEMENT

Pursuant to clause 2(l)(4) of rule XI of the Rules of the House of Representatives, the Committee estimates that the enactment of H.R. 2710 will have no significant inflationary impact on prices and costs in the operation of the national economy.

#### COST OF THE LEGISLATION

Clause 7(a) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out H.R. 2710. However, clause 7(d) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974.

#### COMPLIANCE WITH HOUSE RULE XI

1. With respect to the requirement of clause 2(l)(3)(B) of rule XI of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, H.R. 2710 does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in tax expenditures. Enactment of H.R. 2710 could result in a one-time net increase in discretionary spending in fiscal year 1997, but a decrease in discretionary spending of \$20,000 per year thereafter. In addition, H.R. 2710 would result in a loss of offsetting receipts of less than \$10,000 a year.

2. With respect to the requirement of clause 2(l)(3)(D) of rule XI of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from

the Committee on Government Reform and Oversight on the subject of H.R. 2710.

3. With respect to the requirement of clause 2(l)(3)(C) of rule XI of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for H.R. 2710 from the Director of the Congressional Budget Office.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, August 29, 1996.*

Hon. DON YOUNG,  
*Chairman, Committee on Resources,  
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.R. 2710, the Hoopa Valley Reservation South Boundary Adjustment Act, as ordered reported by the House Committee on Resources on August 1, 1996. CBO estimates that enacting H.R. 2710 would result in a net increase of about \$50,000 in discretionary spending in fiscal year 1997, and a decrease of about \$20,000 a year thereafter, assuming appropriations consistent with the bill's provisions. Enacting H.R. 2710 also would affect direct spending by resulting in a loss in offsetting receipts; therefore, pay-as-you-go procedures would apply to the bill. We estimate, however, that the effect on offsetting receipts would be less than \$10,000 a year.

H.R. 2710 would transfer into trust for the Hoopa Valley Tribe about 2,641 acres of land in the Six Rivers National Forest. Upon the transfer of the land, the tribe would assume management of the land, including the Tish-Tang Campground, from the Forest Service. We assume the bill will be enacted by the beginning of fiscal year 1997 at which time the land and management of the campground would transfer to the tribe.

The bill would increase discretionary spending in fiscal year 1997 by requiring the Bureau of Land Management (BLM) to survey and mark the new boundary of the land to the transferred. Based on information from BLM and the Forest Service, we estimate that BLM would spend about \$70,000 in fiscal year 1997 for the land survey activities, assuming appropriation of the necessary amounts. However, the Forest Service would save about \$20,000 a year in management and maintenance costs for the campground once the land transfer takes place.

Once the land is transferred to the tribe, the federal government would forgo offsetting receipts from campground fees and miscellaneous forest product permits. We estimate that the net loss of receipts would total less than \$10,000 a year. According to the Forest Service, there would be no loss of timber receipts because all timbering on the land has been completed.

H.R. 2710 would impose no private-sector or intergovernmental mandates as defined in the Unfunded Mandates Reform Act of 1995 (Public Law 104-4) and would impose no costs on state, local, or tribal governments. By voluntarily accepting the land transfer,

the Hoopa Valley Tribe would also accept responsibility for managing the campground, along with the associated costs.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Lisa Daley.

Sincerely,

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(For June E. O'Neill, Director).

COMPLIANCE WITH PUBLIC LAW 104-4

H.R. 2710 contains no unfunded mandates.

CHANGES IN EXISTING LAW

If enacted, H.R. 2710 would make no changes in existing law.

